



FRANKEL &amp; NEWFIELD, P.C.

**MEMO ENDORSED**

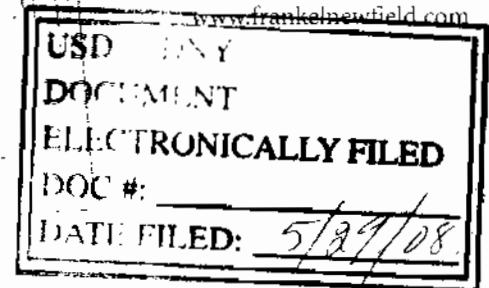
ATTORNEYS AT LAW

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May 22, 2008

**VIA FEDERAL EXPRESS**Honorable Lewis A. Kaplan  
United States District Court  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312Re: Cindy Hogan-Cross v. Metropolitan Life Insurance Company et. al.  
U.S. D. Ct., S.D.N.Y. 08 Civ. 0012 (LAK)

Dear Judge Kaplan:

We are the attorneys for the Plaintiff, Cindy Hogan-Cross.

We write this letter to request that all dates contained in the February 26, 2008 Consent Scheduling Order be extended by 2 months.

By way of background, on March 7, 2008, Defendant Met Life filed a Motion to Change Venue. Thereafter, Plaintiff Amended the Complaint to add IBM as a party. On April 28, 2008, The Court dismissed IBM as a party. On May 16, 2008, Met Life filed its Reply to its Motion to Transfer Venue. On May 19, 2008 Your Honor denied Met Life's Motion to Change Venue.

On May 20, 2008 Plaintiff served Defendant with their discovery demands (within one day of the Court Ordering that the action proceed). However, under the original Order, discovery is due to close on June 13, 2008. Plaintiff believes that additional time is required to complete discovery, as discovery was not served until following the Court's consideration of the venue issue. Plaintiff believes that this constitutes good cause to amend the Order.

Defendant has refused to consent to Plaintiff's request for additional time for completion of discovery.

Respectfully Submitted,

FRANKEL &amp; NEWFIELD, P.C.

By:

Justin C. Frankel (JF5983)

JCF:jpm

Enclosure

cc: Allan Marcus via federal Express

LEWIS A. KAPLAN, USDC

*Granted to  
the extent of  
all requested  
discovery by 7/8*

SO ORDERED